



MEMORANDUM

Agenda Item 15(B)3

TO: Honorable Chairman Bruno A. Barreiro and
Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

SUBJECT: Resolution No. 2006-26424
City of Miami Beach

Kay Sullivan, Director
Clerk of the Board Division

Attached for your information is a copy of Resolution No. 2006-26424 of the Mayor and City Commission of the City of Miami Beach, Florida, relating to elections; renewing the City of Miami Beach's request previously addressed in City Resolution No. 2003-25340 that the Miami-Dade County Manager ensure, regardless of voting systems and technologies, that there is a voter-verified paper record of every ballot cast produced, as an element of minimum standards of integrity, said paper record to have manual audit capacity to be available as an additional record for any re-count conducted, as well as providing an opportunity for voters to correct any error before a permanent vote is recorded, and further requesting Miami-Dade County and the State of Florida to ensure that each page of a future election ballot will be limited to one race or question thereon in order to avoid voter confusion and reinforce voter confidence in the election process.

KS:fcd
Attachment



CITY OF MIAMI BEACH

1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

RICHARD L. STEINBERG
COMMISSIONER

CLERK OF THE BOARD

2006 DEC 28 PM 4:13

CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

December 15, 2006

Miami-Dade County Clerk
County Clerk ~~Harvey~~ *Harvey* Ruvin
73 West Flagler Street, Suite #242
Miami, FL 33130

Please find attached Resolution 2006-26424 adopted at the City of Miami Beach Commission Meeting of December 6, 2006 regarding renewing the City of Miami Beach's request, previously addressed in City Resolution 2003-25340, that the Miami-Dade County Manager ensure that there is a voter-verified paper record of every ballot cast and further requesting Miami-Dade County and the State of Florida ensure that each page of a future election ballot will be limited to one race or question per ballot page.

On behalf of the Miami Beach Commission, I urge Miami-Dade County and the State of Florida to re-establish voter confidence in the election process by adopting the measures mentioned in City Resolution 2006-26424. The Resolution has been distributed to the Miami-Dade County Mayor, Commission, Manager, Clerk and Supervisor of Elections as well as the Miami-Dade Delegation, Florida Speaker of the House, Florida Senate President, Florida Secretary of State, and Governor.

Respectfully submitted,

Richard L. Steinberg,
Commissioner

RLS/mt

Cc: Mayor and City Commission
Jorge Gonzalez, City Manager
Jose Smith, City Attorney
Robert Parcher, City Clerk

RESOLUTION NO. 2006-26424

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO ELECTIONS; RENEWING THE CITY OF MIAMI BEACH'S REQUEST PREVIOUSLY ADDRESSED IN CITY RESOLUTION NO. 2003-25340 THAT THE MIAMI-DADE COUNTY MANAGER ENSURE, REGARDLESS OF VOTING SYSTEMS AND TECHNOLOGIES, THAT THERE IS A VOTER-VERIFIED PAPER RECORD OF EVERY BALLOT CAST PRODUCED, AS AN ELEMENT OF MINIMUM STANDARDS OF INTEGRITY, SAID PAPER RECORD TO HAVE MANUAL AUDIT CAPACITY TO BE AVAILABLE AS AN ADDITIONAL RECORD FOR ANY RE-COUNT CONDUCTED, AS WELL AS PROVIDING AN OPPORTUNITY FOR VOTERS TO CORRECT ANY ERROR BEFORE A PERMANENT VOTE IS RECORDED, AND FURTHER REQUESTING MIAMI-DADE COUNTY AND THE STATE OF FLORIDA TO ENSURE THAT EACH PAGE OF A FUTURE ELECTION BALLOT WILL BE LIMITED TO ONE RACE OR QUESTION THEREON IN ORDER TO AVOID VOTER CONFUSION AND REINFORCE VOTER CONFIDENCE IN THE ELECTION PROCESS.

WHEREAS, the Miami Beach City Commission is committed to protecting the rights of voters in Miami-Dade County, to re-establish voter confidence in the process, and to improve upon past election voting procedures; and

WHEREAS, accordingly, in City of Miami Beach Resolution No. 2003-25340, the Miami Beach City Commission requested that the Miami-Dade County Manager ensure production of voter-verified paper records of every ballot cast not later than the 2004 General Election, consistent with the Help America Vote Act of 2002 ("HAVA") requirement of a permanent paper record with a manual audit capacity; and

WHEREAS, as of this past November 2006 election season, the implementation of permanent paper records of every ballot cast has not been implemented, thus further eroding voter confidence in the election process; and

WHEREAS, in Washington, D.C., Congress is expected to push legislation requiring that a voter be given a chance to verify a paper record of his or her ballot before casting it. Similar "paper trail" proposed legislation is expected to be discussed at the State level in Tallahassee, Florida, supported by Governor-elect Charlie Crist and new State House Speaker Marco Rubio; and


WHEREAS, in order further to ensure voter confidence in the election process¹, only one race or question should be placed on each ballot page in order to avoid voter confusion.

¹ In this past November's 13th Congressional district race, nearly 15% of the ballots cast on electronic voting machines in Sarasota County showed no votes. Sarasota County's Election Supervisor, Kathy Dent, has acknowledged that the ballot layout may have caused some voters to overlook voting for this race.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA THAT IT HEREBY REQUESTS AND ENCOURAGES MIAMI-DADE COUNTY AND THE STATE OF FLORIDA TO ENSURE THAT THERE IS A VOTER-VERIFIED PAPER RECORD OF EVERY BALLOT CAST PRODUCED AS AN ELEMENT OF MINIMUM STANDARDS OF INTEGRITY, WITH MANUAL AUDIT CAPACITY TO BE AVAILABLE AS AN OFFICIAL RECORD FOR ANY RECOUNT CONDUCTED, AS WELL AS PROVIDING AN OPPORTUNITY FOR VOTERS TO CORRECT ANY ERROR BEFORE A PERMANENT VOTE IS RECORDED, AND FURTHER REQUESTING MIAMI-DADE COUNTY AND THE STATE OF FLORIDA TO ENSURE THAT EACH PAGE OF A FUTURE ELECTION BALLOT WILL BE LIMITED TO ONE RACE OR QUESTION THEREON IN ORDER TO AVOID VOTER CONFUSION AND REINFORCE VOTER CONFIDENCE IN THE ELECTION PROCESS.

This resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED this 6th day of December, 2006.



MAYOR
David Dermer

ATTEST:


CITY CLERK
Robert Parcher

Requested by Commissioner Richard L. Steinberg

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

12/5/06
Date